



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
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BIRMINGHAM, MI 48009

In re Application of
Daniel Chien, et al.
Application No. 10/763,714
Filed: January 23, 2004
For: INBOARD BRAKING TRAILER
WHEEL END ASSEMBLY

:
:
: DECISION ON PETITION
: TO WITHDRAWAL OF
: HOLDING OF ABANDONMENT
:

This in reply to the letter received in the United States Patent and Trademark Office (USPTO), on August 31, 2005, requesting withdrawal of abandonment. This letter is being treated as a petition to withdraw the holding of abandonment under 37 CFR 1.181. There is no fee associated with this petition.


The petition is **GRANTED**.

A review of the application file reveals that the Notice of Abandonment mailed July 7, 2005, specified that the application had become abandoned because the Office had received no reply to the Final rejection mailed December 30, 2004, in which a three-month shortened statutory period for response was given.

A review of the record indicates that a timely filed Notice of Appeal was received on July 5, 2005, along with a valid Certificate of Mailing dated June 29, 2005 and a petition for a three-month extension of time. Thus abandonment was premature.

The Office apologizes for the erroneous Notice of Abandonment.

The application will be forwarded to the Supervisory Legal Instruments Examiner to withdraw the abandonment and restore the application to pending status, before being returned to the examiner for an expeditious Action.



Kenneth J. Dorner,
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KJD/bkg: 10/25/05